REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-6, 8-29, 31-47 and 49-52 are presently active in this case, Claims 1, 24, and 46 amended by way of the present amendment.

In the outstanding Official Action, Claims 1-6, 8, 10-29, 31-47 and 49-54 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0178213 to Parry et al.; Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Parry et al. in view of U.S. Patent No. 5,519,786 to Courtney; and Claims 1, 24 and 46 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2004/0215671 to Hyakutake et al.

First, Applicants wish to thank Examiner Kang for the June 29, 2005 personal interview at which time the outstanding issues in this case were discussed. During the interview, Applicants presented amendments and arguments substantially as indicated in this response. While no formal agreement was reached, Examiner Kang indicated that the amendments and arguments contained herein would overcome the prior art of record.

Turning now to the merits, in order to expedite issuance of a patent in this case, Applicants have amended Claims 1, 24 and 46 to clarify patentable features of the present invention over the cited references. Specifically, Claim 1 recites a method for managing application service provider (ASP) documents. The method includes requesting a transfer of an ASP document at an ASP user device connected to a remote document manager and a remote ASP via a network, and determining whether the ASP document is either a storage document for storing in the remote ASP or a retrieval document for retrieving from the remote ASP. Also recited is establishing a predetermined time for effecting a transfer of the ASP document between the user and the ASP, and transferring the ASP document at the

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predetermined time via the network. Claims 24 and 46 recite similar features in system and means plus function claim format.

The cited reference to Perry discloses a business method for integrating an ASP hosted service into a customer document at a user location. As described in the background section of Perry, the disclosed invention is particularly suited for ASPs that provide a website search feature for a third-party customer whose site the user has accessed. Thus, the invention of Perry is directed to enabling a user to access a desired website and then search the website using a remote ASP search tool without leaving the accessed site. As discussed in the June 29th interview, the cited reference to Perry et al., at most, discloses a user uploading a search query to and the ASP search tool returning a result for the search query. However, Perry et al. does not disclose in any way that the ASP or the customer makes a determination of whether the ASP document is either a storage document or a retrieval document as now recited in Claim 1. In this regard, Applicants' independent 1, 24 and 46 have been amended as suggested by the examiner in order to clarify that the determining feature is a determining of whether the ASP document is *either* a storage document or a retrieval document thereby requiring the ability to identify both the storage document and the retrieval document rather than just one of these documents.

In addition, Perry et al. does not disclose establishing a predetermined time for effecting a transfer of the ASP document and transferring the ASP document at the predetermined time as also required by Claims 1, 24 and 46. These claims have also been amended to clarify that the predetermined time is for effecting the transfer of an ASP document *between the user and the ASP* as also requested by the examiner. As discussed in the June 29 personal interview, it is this feature that enables the transfer of documents between an ASP user and an ASP without disabling a communication system of the user at

inconvenient times.[1] As also discussed in the interview, the spider feature of Fig. **8** in <u>Perry</u>

is a web search tool that crawls through the customer's entire website, downloading and

storing information for every web page therein. The spider provides an indexing of the

customer's website that is maintained in a compressed form in database on the ASP's internet

servers. Thus, the spider feature of <u>Perry et al.</u> relates to the ASP indexing the customer 220

website so that the user can obtain site search results from the ASP 230. Although Fig. **8**

shows a window available to the customer 220 for setting the frequency for the spider to

revisit the website for an update, this feature does not relate to establishing a predetermined

time for transferring a document (which is either a storage or retrieval document) between a

user and an ASP provider as now recited in the independent claims.

For reasons discussed above, Applicants' invention as now claimed in Claims 1, 24

and 46 patentably defines over the cited reference to <u>Perry et al.</u> The secondary reference to

<u>Courtney et al.</u> is cited for its disclosure of optical scanning a paper copy, and does not

correct the deficiencies of <u>Perry et al.</u> Thus, Applicants' independent Claims 1, 24 and 46

patentably define over the cited references. Moreover, as the remaining claims in this case

depend from one of these independent claims, the remaining dependent claims are also

patentably defined over the cited references.

Consequently, in view of the present amendment, no further issues are believed to be

outstanding in the present application and the present application is believed to be in
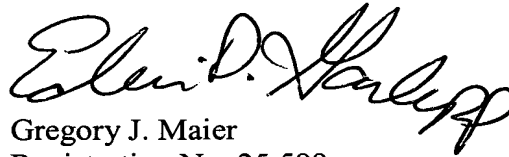
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[1]   See Applicants' specification at page 23, paragraph 77.

condition for formal allowance. An early and favorable action is therefore respectfully

requested.

Respectfully submitted,

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